



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

October 12, 1993

Mr. Harold E. Davis
P. O. Box 903
Salem, Utah 84653

Re: Tentative Approval, Large Mining Notice of Intention, H. E. Davis and Sons,
Henry 1 and 2 Mine, M/023/023, Juab County, Utah

Dear Mr. Davis:

The Division has completed its review of your August 4, 1993, response to our February 18, 1993, deficiency review letter. The response was provided to us by Mr. Leland Davis. The outstanding questions and technical concerns have been satisfied. The Division hereby grants its tentative approval of the Mining and Reclamation Plan for the Henry 1 and 2 mine.

In recognition of the existing \$33,000 surety held by the U.S. Forest Service for this mining operation, the Division will not ask for a separate surety. The surety amount is sufficient to meet our reclamation bonding requirements. Our existing joint agency Memorandum of Understanding (MOU) with the U.S. Forest Service, requires a formal written release from the cooperating agency(ies), before the surety is returned to the operator, following reclamation.

However, state rules require the operator to file a completed Reclamation Contract agreement (FORM MR-RC) with this Division (copy enclosed). A photocopy of the existing \$33,000 reclamation surety bond must be attached to the Reclamation Contract and returned to the Division. A copy of another operator's completed Reclamation Contract form has been enclosed to help you complete your own form. Also enclosed is a Guideline document which we have prepared to assist operators in filling out the Reclamation Contract form.

We will proceed to publish notice of our tentative approval decision in a local and statewide newspaper. Publication will open a 30-day public comment period. Following the successful expiration of the public comment period (i.e., no substantive comments received), and the receipt of the Reclamation Contract (and

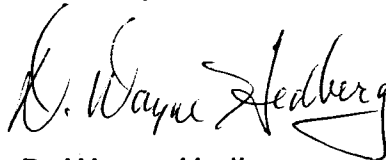


Page 2
Harold Davis
M/023/023
October 12, 1993

surety), we will seek formal approval from the Board of Oil, Gas and Mining on the amount and form of reclamation surety at their regularly scheduled monthly hearing.

Thank you for your cooperation and patience in completing this permitting action.

Sincerely,

A handwritten signature in cursive script, reading "D. Wayne Hedberg". The signature is written in dark ink and is positioned above the printed name and title.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosures
cc: Lowell Braxton, DOGM
Thomas H. Shore, District Ranger, Manti-LaSal National Forest
M023023.ten